

### **REMARKS/ARGUMENTS**

Request for Continued Examination:

5 The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

The Examiner is thanked for the careful review of this application. Applicant has thoroughly reviewed the outstanding Advisory Action and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and  
10 patently distinguish the claims over cited art of record.

Claims 2, 4, 10 are canceled and claims 1, 3, 5, 9, 11, 13 are amended herein.

#### **Present Status of Application**

The Office Action rejected claims 1-5, 9-11 and 13. Specifically, claims 1-5, 9-11,  
15 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohsato et al. (US 5,442,615) in view of Kolosko et al. (US 5,859,818).

Applicant respectfully traverses the rejections and requests reconsideration of all rejected claims.

#### **Discussion of Office Action Rejections**

##### **Rejection of claims 1-5, 9-11 and 13 are rejected based on 35 U.S.C. 103(e)**

Claims 1-5, 9-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohsato et al. (US 5,442,615) in view of Kolosko et al. (US 5,859,818). As will be fully described in the following, the cited references do not  
25 anticipate the claimed invention. The rejections are respectfully traversed for at least the reasons set forth below.

Independent claim 1 is directed to an electronic apparatus with level-detecting function. The electronic apparatus comprises an optical disc drive; a light-sensing device for sensing light; a light source for emitting light onto the light-sensing device;  
30 a light blocker for blocking light emitted by the light source from projecting onto the

light-sensing device when the optical disc drive is tilted and has a tilt angle within a predetermined range, wherein the light blocker is rotated around a rotating axis; and a control circuit electrically connected to the light-sensing device for controlling the optical disc drive to selectively operate in an enable mode or an off mode according to the intensity of light received by the light-sensing device, wherein the optical disc drive is in the off mode when the optical disc drive is tilted.

In the present invention, when the optical disc drive is tilted, the light blocker is tilted to block the light emitted by the light source from projecting onto the light-sensing device. And the control circuit controls the optical disc drive to operate in an off mode according to the intensity of light received by the light-sensing device when the optical disc drive is tilted.

However, the cited references of Ohsato (US5442615) and Kolosko (US4000906) do not disclose every elements of the claimed invention. For example, the plate 54 of Ohsato is used to correct the shape of a light beam spot on the information recording surface 44 of the optical disc 42 when the optical disc 42 is inclined. The plate 54 is inserted in a focusing light beam passage, inclined (rotated about an axis X), and canceled a comatic aberration generated due to skew of the optical disc. However, the plate 54 is a transparent plate and it can **not** be used to block the light. On the contrary, light passes through the transparent plate 54. The plate 54 is rotated about an axis X to cancel a comatic aberration, not to control the optical disc drive to operate in an enable mode or an off mode.

Moreover, in the Final Office Action, the examiner states “ Ohsato fails to teach a light blocker for blocking light emitted by the light source from projecting onto the light-sensing device when the electronic component is tilted and has a tilt angle within a predetermined range. Examiner states that Kolosko teaches the arm element (40) rotating, tilting, and blocking light from a light source 48 emitting onto the transistor 50, col. 4, line 64 to col. 5, line 25.”

However, Kolosko teaches an automatic two-speed changing device for playing records designed to be reproduced at different speeds of rotation ( $33\frac{1}{3}$ , 45 rpm). The records played at  $33\frac{1}{3}$  rpm have smaller center holes than the records played at 45

rpm. Therefore, the turntable 20 has a centering pin 34 for centering the 33 1/3 rpm records and guides 36 for centering the 45 rpm records. When a 33 1/3 rpm record is put on the turntable 20, the 33 1/3 record makes the guides 36 moved downwardly. Then, the arm 40 connected to the guides 36 is rotated and the baffle element 47 is at  
5 the position to block the light from the light source 48. Specifically, by putting a 33 1/3 rpm record on the turntable 20, the baffle element 47 is moved to block the light.

But, in the present invention, the light blocker is tilted when the optical disc drive is tilted and the light blocker is rotated about a rotating axis to block the light and then the optical disc drive is operated in the off mode. However, Kolosko does not teach  
10 that the arm 40 is tilted owing to the tilt of whole automatic phonograph and when the whole automatic phonograph is tilted, the arm 40 blocks the light and then the automatic phonograph is operated in the off mode.

However, in the Advisory Action, the examiner states that "col. 2, lines 39-40 and lines 63-68 of Ohsato reads on a control circuit connected to the pick-up laser for  
15 controlling the tilted optical disc to operate in one normal operation mode (corresponding to one operating mode as claimed)." However, in the descriptions of Ohsato, when the disc is skewed, the plate 54 is inclined to cancel a comatic aberration generated due to skew of the optical disc. Then the pick-up is able to correctly produce a signal. When the optical disc has larger skew angle, the plate 54 is  
20 more inclined to cancel the comatic aberration for the pick-up to correctly produce the signal. Therefore, there is only one operating mode used for the pick-up to correctly produce the signal of Ohsato when the plate 54 is tilted. But Ohsato does not disclose that the optical disc drive is tilted and the light blocker blocks the light and then the optical disc drive is operated in the off mode.

25 In addition, in col. 2 line 25 of Ohsato, the equation (2) measures a ternary comatic aberration related to the transparent substrate of the optical disc and the skew angle of the optical disc. But Ohsato detects the skewed disc to cancel the comatic aberration not to change the operating modes of the optical disc drive. In the present invention, when the optical disc drive is tilted, the light blocker blocks the light and  
30 the optical disc drive is operated in the off mode.

Moreover, col. 2, lines 63-68, "*Comparing to each other of both examples, it is apparent that the case in which the disc skew is so large as 0.3 ° has a larger wave form strain of EFM reproducing wave forms comparing to the case of 0 ° resulting in a closing of eyepattern and a difficulty of picking-up correctly signals.*" Ohsato  
5 discloses the optical disc is tilted for offset angles but **not** for controlling the operating of the optical disc drive when the optical disc drive is tilted.

It is therefore submitted that the cited references fail to disclose each and every feature of the electronic apparatus, as defined in claim 1. Claim 1 patently defines over the cited arts and should be allowed. Dependent claims 3, 5 each depends from  
10 independent claim 1 also define over the cited arts for at least the same reasons.

Independent claim 9 is also patentable for the same reasons described above. And the dependent claims 11 and 13 each depends from independent claim 9 are also patentable.

#### Conclusion

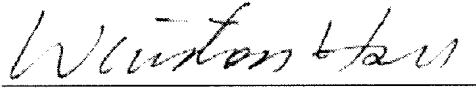
15 Accordingly, Applicants respectfully submit the claims 1, 3, 5, 9, 11 and 13 to overcome the rejections under 35 U.S.C 103(a). Specifically, the present application cannot be anticipated by Ohsato in further view of Kolosko. In view of foregoing, it is believed that all pending claims and drawings are in proper condition for allowance.

20 Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,



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5 Winston Hsu, Patent Agent No. 41,526  
P.O. BOX 506, Merrifield, VA 22116, U.S.A.  
Voice Mail: 302-729-1562  
Facsimile: 806-498-6673  
e-mail : winstonhsu@naipo.com

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